

REMARKS

Summary of Office Action

Claims 13-17 and 30-36 are pending.

Claims 13-17 have been rejected under 35 U.S.C. § 112, first paragraph, as failing to comply with the written description requirement. In particular, with reference to claim 13, the Examiner states that the recitation "a pair" of conductive elements is new matter. Claims 13-7 also have been rejected under 35 U.S.C. § 112, second paragraph, as vague and indefinite.

Further, claims 13, 16, 17, 30-33 and 36 have been rejected under 35 U.S.C. § 102(e) as being anticipated by Braun et al. International Publication No. WO 99/04440 ("Braun").

The Examiner finds patentable subject matter in claims 34 and 35, and states that these claims would be allowed if rewritten in suitable independent form.

Statement Of Substance Of Interview

Applicants thank the Examiner for the courtesies extended to the undersigned during the telephone interview on October 19, 2005.

The undersigned and the Examiner discussed the Proposed Reply (including claim amendments) faxed to the Examiner on October 19, 2005. The Examiner indicated that the proposed claim amendments would overcome the § 112 rejections.

However, no agreement was reached on the § 102 rejection. The undersigned noted that the cited reference Braun did not show use of "DNA material" active core for transistor action. The Examiner was of the opinion that the claim language did not exclude the structures of Braun, which the undersigned respectfully disagreed with. The undersigned understood that the Examiner would review structures of Braun in further detail after a formal reply was submitted.

INT SUM OK
AM, 12-19-05